

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**
 18 U.S.C. § 2252(b) - Coercion and Enticement;  
 18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY: see attached sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

Ryan Jay Rosenthal

DISTRICT COURT NUMBER

17-CR-00133-JST

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Federal Bureau of Investigations

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☒ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Meredith B. Osborn

**DEFENDANT****IS NOT IN CUSTODY**
 1) ☐ Has not been arrested, pending outcome this proceeding.  
☐ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☒ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

 Month/Day/Year  
 March 22, 2017

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

**United States v. Ryan Jay Rosenthal**

**Penalty Sheet Attachment**

**Count 1: 18 U.S.C. § 2252(a)(2) – (Receipt of Child Pornography)**

**Maximum Penalties** (Class C felony):

Minimum prison term:	5 years
Maximum prison term:	20 years
Maximum supervised release term:	lifetime
Minimum supervised release term:	5 years
Maximum fine:	\$250,000
Mandatory special assessment:	\$5,100 (18 U.S.C. § 3014)
Restitution:	Determined by the court

**Count 2: 18 U.S.C. § 2422(b) (Coercion and Enticement)**

**Maximum Penalties** (Class C felony):

Minimum prison term:	10 years imprisonment
Maximum prison term:	20 years imprisonment
Maximum supervised release term:	lifetime
Minimum supervised release term:	5 years
Maximum fine:	\$250,000 fine
Mandatory special assessment:	\$5,100 (18 U.S.C. § 3014)
Restitution:	Determined by the Court

1 BRIAN J. STRETCH (CABN 163973)  
2 United States Attorney

FILED

APR 05 2018

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11  
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RYAN JAY ROSENTHAL,

16 Defendant.

) No. 17-CR-0133 JST  
)  
)

17 ) VIOLATIONS:  
)  
)

18 ) 18 U.S.C. § 2252(a)(2) – Receipt of Child  
19 ) Pornography;

20 ) 18 U.S.C. § 2422(b) – Coercion and Enticement;

21 ) 18 U.S.C. § 2253(a) – Criminal Forfeiture  
22 )  
23 )

24 ) OAKLAND VENUE  
25 )  
26 )  
27 )  
28 )

19  
20 SECOND SUPERSEDING INFORMATION

21 The United States Attorney charges:

22 COUNT ONE: (18 U.S.C. § 2252(a)(2) – Receipt of Child Pornography)

23 Beginning on or about February 5, 2017 and continuing until at least February 26, 2017, in the  
24 Northern District of California, the defendant,

25 RYAN JAY ROSENTHAL,

26 did knowingly receive via the internet at least one visual depiction, the production of which involved at  
27 least one minor engaging in sexually explicit conduct, as defined in Title 18, United States Code Section  
28

SUPERSEDING INFORMATION  
CASE NO. 17-CR-0133 JST

2256, which depiction had been transported in interstate or foreign commerce, had been sent or received using any means or facility of interstate or foreign commerce, or which contained materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252(a)(2).

**COUNT TWO:** (18 U.S.C. § 2422(b) – Coercion and Enticement)

Beginning on or about December 23, 2015 and continuing until at least March 1, 2016, in the Northern District of California and elsewhere, the defendant,

RYAN JAY ROSENTHAL,

using a facility or means of interstate commerce, did knowingly persuade, induce, entice and coerce minor victim A.R. who had not yet attained 18 years of age, and who defendant believed was less than 18 years of age, to engage in sexual activity for which the defendant could be charged with a criminal offense, to wit, the production of child pornography under 18 U.S.C. § 2251(a) and Arkansas Code Ann. 5-27-303, in violation of Title 18, United States Code, Section 2422(b).

**FORFEITURE ALLEGATION:** (18 U.S.C. § 2253(a) – Forfeiture)

1. The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253, and Title 21, United States Code, Section 853.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of any offense alleged herein, the defendant,

RYAN JAY ROSENTHAL,

shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251 or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real or personal, used or intended to be used to commit or to



1 promote the commission of the offenses, including but not limited to the  
2 following:

- 3 i. Western Digital Hard drive, 1 terabyte, S/N WCATR56229683
- 4 ii. Crucial MX 100 2.5 SSD, 512 gigabyte, S/N 14360D230FCE
- 5 iii. Samsung Galaxy S6, Verizon SM-G920V

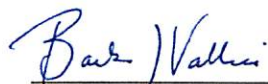
6 3. If any of the property described above, as a result of any act or omission of the defendant:

- 7 a. cannot be located upon the exercise of due diligence;
- 8 b. has been transferred or sold to, or deposited with, a third party;
- 9 c. has been placed beyond the jurisdiction of the court;
- 10 d. has been substantially diminished in value; or
- 11 e. has been commingled with other property which cannot be divided without  
12 difficulty;

13 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,  
14 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b)  
15 and by Title 28, United States Code, Section 2461(c).

16  
17 DATED: *April 5, 2018*

18 ALEX G. TSE  
19 Acting United States Attorney

20 

21 BARBARA J. VALLIERE  
22 Chief, Criminal Division